

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ALVIA LACY, *
Plaintiff, *
v. * Civil Action No.: 1:06-cv-00068-JJF
NATIONAL RAILROAD PASSENGER *
CORPORATION ("AMTRAK"), *
Defendant. *

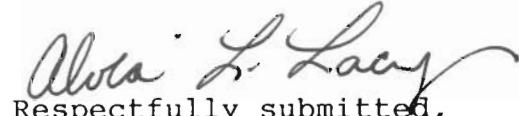
U.S. DISTRICT COURT
DISTRICT OF DELAWARE
FILED DEC 27 PM 2:39

**PLAINTIFF ALVIA LACY RESPONSE TO DEFENDANT
NATIONAL RAILROAD PASSENGER CORPORATION'S MOTION
FOR SUMMARY JUDGMENT**

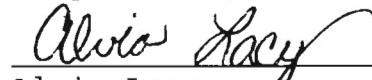
Plaintiff, Alvia Lacy pro se, moves this court to deny summary judgment in the Defendant's favor. The material facts are disputed and Defendant is not entitled to judgement as a matter of law on Plaintiff's Title VII claim of race and sex discrimination, and retaliation, because Plaintiff's claims are timely and, Plaintiff can establish a prima facie case, and Amtrak discriminatory reason for not promoting Plaintiff, was based on race and sex.

WHEREFORE, summary judgment should not be awarded in favor of Defendant. Plaintiff further requests that the Court award Plaintiff relief as the Court deems appropriate.

In support of this Motion the Court is respectfully invited to the Response of Plaintiff to Defendant's Motion for Summary Judgment and supporting exhibits, all filed herewith.



Respectfully submitted,


Alvia Lacy

Alvia Lacy pro se
1306 Jervis Sq.
Belcamp, Maryland 21017
Tel: (410) 272-4819

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CORPORATION ("AMTRAK"),

*

Defendant.

*

* * * * *

ORDER

WHEREAS, the Court having considered Plaintiff's Response to Defendant's Motion for Summary Judgment and the arguments of both parties related thereto, and the Court finding material issues of fact and the Defendant is not entitled to judgment in its favor,

NOW, THEREFORE, Defendant's Motion is NOT GRANTED and judgment shall be entered in Plaintiff's favor on all claims of the Complaint.

The Honorable Joseph J. Farnan, Jr.
United States District Court Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of December, 2006 a copy of the foregoing Response to Motion for Summary Judgment and proposed order, were mailed, first class, postage prepaid to Mr. Darrel VanDeusen, 1823 York Road, Timonium, Maryland 21093, Counsel for Defendant.

In addition: Vugni A. Zrake Alvia L. Lacy
34382 Carpenter's Way
P.O. Box 247
Lewis, DE 19958

Alvia L. Lacy